

**BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD**  
**IN THE MATTER OF THE NATURAL PRODUCTS MARKETING (BC) ACT AND**  
**ALLEGATIONS OF BAD FAITH AND UNLAWFUL ACTIVITY**

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**SECOND TRANSCRIPT EXTRACT BOOK OF**  
**MPL BRITISH COLUMBIA DISTRIBUTORS INC.**

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# TAB 1

- 1 A Well, we inquired. You know, we've asked and he  
2 is just like, listen, there's been meetings. You  
3 know, the guys on the Commission are trying to  
4 keep you out. They are other agencies that are  
5 your competitors.
- 6 Q Okay. Mr. Mastronardi, is it fair to say that  
7 that was essentially the essence of what he said  
8 to you, what you just stated, and it was no more  
9 specific than that; is that accurate?
- 10 A Yes.
- 11 Q So when you talk about multiple meetings and  
12 members expressing their view, all of that is  
13 encompassed in the statement you made about that  
14 and that's about as specific as you got?
- 15 A And multiple times. Like I said, it was in the  
16 summary talk and he said there was some meetings  
17 that happen, and I think he said there was  
18 another meeting in October. So it was multiple  
19 times. It wasn't once.
- 20 Q Right. But he didn't identify any persons in  
21 particular, and you didn't identify any specific  
22 meetings?
- 23 A Well, specific about the one that happened in  
24 October.
- 25 Q And which meeting was this in October, sir?
- 26 A He said that there was a meeting amongst, you  
27 know, growers and I guess the commissioners, the  
28 agency guys.
- 29 Q So but there's a difference between agency and  
30 commissioners. I'm not sure what -- I'm not sure  
31 what it is you were told, whether this was a  
32 meeting of growers and agencies or --
- 33 A I believe he -- I'm not saying -- there was a  
34 meeting around -- I believe it was around  
35 October 19 period.
- 36 Q October -- so he gave you a specific day?
- 37 A Yeah.
- 38 Q October 19th?
- 39 A That one for sure. And I think there was another  
40 one in July. I don't remember the exact date in  
41 July.
- 42 Q Right. All right. So let's just start with the  
43 October 19, 2020 meeting. So first of all, I'm  
44 correct in saying it was October 19, 2020?
- 45 A Yes.
- 46 Q All right. And who was at this meeting?
- 47 A I told you. I believe -- I believe in my opinion

# TAB 2

- 1 did not want his name out there. He was in fear  
2 that there would be repercussions against him from  
3 his agencies and possibly the Commission. He was  
4 expanding his greenhouse too. So he wanted to add  
5 acreage and he thought that that would get through  
6 as well, and he didn't want to be blacklisted in BC  
7 amongst everybody. And on the misinformation  
8 piece, that would be Ravi telling us that Windset  
9 was telling people that we undercut them on a  
10 contract and that we were just going to bring  
11 Mexican product into British Columbia.
- 12 Q Was anything said about Mr. Reed by Mr. Cheema to  
13 you?
- 14 A Not at this point.
- 15 Q Did he say anything about Mr. Reed at any other  
16 time?
- 17 A Yes.
- 18 Q Can you tell us what that was? What did he say to  
19 you about Mr. Reed?
- 20 A That he was trying to make his life difficult, you  
21 know, with the allocation and the quotas and all  
22 that going through Houweling and him trying to move  
23 some of the quota over to Country Fresh to go  
24 through us.
- 25 Q I'm going to move to a different topic. You also  
26 referenced Mr. Cheema telling you about Dawn  
27 Glyckherr in your evidence. What did Mr. Cheema  
28 tell you about what she had heard -- or about what  
29 he had heard from Dawn Glyckherr?
- 30 A He told me that Dawn created a report for the  
31 industry and that there was a lot of corruption in  
32 the industry. There was an "I scratch your back,  
33 you scratch my back" situation at the Commission.  
34 That the commissioners made decisions at coffee  
35 shops in Delta and not at the Commission itself.  
36 There was corruption at the top. That there was  
37 racism between the original growers in BC and the  
38 Indian growers coming in. And then whoever  
39 reviewed that didn't like the report and then let  
40 Dawn go. I guess it was like a lot of entrants I  
41 think he said. I think he said there was, like,  
42 over 50 people or something like that responded to  
43 her survey or she interviewed.
- 44 Q Going to a different topic again. You referred to  
45 a conversation you had with Mr. Steve Newell in  
46 which he said words to the effect, that don't  
47 bother, you'll never get in. Words to that effect.

Paul Mastronardi (for MPL)  
In chief by Cnsl R. Basham

- 1 Can you please clarify for the panel when this  
2 conversation took place, where, and more  
3 specifically what Mr. Newell said to you?
- 4 A Yeah. It took place at the PMA show in 2018 in  
5 October. There was a vendor appreciation get to  
6 together at appeal sciences. And they rented a  
7 house for their cocktail party. And Steve and I  
8 were sitting at a table poolside having a  
9 discussion about it. And I informed him -- you  
10 know, I heard that they were for sale. And we were  
11 talking about whether or not Windset would sell.  
12 And also, you know, I told him that we were coming  
13 out in the west and we were going to get a licence,  
14 and that's when he said that him and John would  
15 make sure, you know, that we wouldn't get a  
16 licence.
- 17 Q And at that time to your knowledge was Mr. Newell a  
18 commissioner?
- 19 A John, yes.
- 20 Q I meant John Newell.
- 21 A Yes.
- 22 Q What was Steve Newell's position in Windset to your  
23 knowledge at the time of this conversation in 2018?
- 24 A I believe Steve is CEO.
- 25 Q CEO?
- 26 A Yes.
- 27 Q And John Newell?
- 28 A John is either COO or president.
- 29 Q To your knowledge were they the two shareholders in  
30 Windset?
- 31 A Yes.
- 32 Q Were there other shareholders in Windset to your  
33 knowledge?
- 34 A Not that I know.
- 35 Q Turning to a different topic again. You also  
36 referred to a conversation you had with Jeff Madu.  
37 Can you tell us when that conversation took place  
38 and what he said?
- 39 A Yeah. So that was at a customer charity golf  
40 tournament that was in I believe August of '21.
- 41 Q What did Mr. Madu say to you?
- 42 A Madu said that Jeff and Steve will make sure that  
43 we're not going to get our licence, so you better  
44 just drop it. Give up. There's no use.
- 45 Q Sorry, who and Steve? You said Jeff.
- 46 A Sorry, John and Steve.
- 47 Q You referring to Newell?

Paul Mastronardi (for MPL)  
In chief by Cnsl R. Basham

- 1 A Yes. Jeff -- sorry, John and Steven Newell, yes.  
2 Q Did he say anything more about how they intended to  
3 do that?  
4 A No.  
5 Q And who -- what's the relationship between Jeff  
6 Madu and the Newells?  
7 A Jeff Madu is married to Steve and John's sister.  
8 And he, as far as I know, the head salesman for  
9 Windset.  
10 Q I would like you to tell us a little bit more about  
11 your -- the history of your dealings with the  
12 Newell brothers. When did Mastronardi -- I'll just  
13 call the company MPL. When did MPL first start  
14 having dealings with the Newell brothers?  
15 A The Newell brothers reached out to us, it would  
16 have been in the early 2000 year. And they wanted  
17 to sell us some of their produce. They were saying  
18 that BC Hothouse wasn't doing a good job. And they  
19 wanted us to buy their products. So we started  
20 buying product from them. So they were shipping us  
21 a whole bunch of cherry tomatoes and other types of  
22 tomatoes at that time.  
23 And then they came out and visited us, and they  
24 wanted us to do more for them. And over the next I  
25 think it was about two years, they asked us to  
26 write support letters to them -- to the Commission  
27 so they could get their own licence. And I think  
28 during this time something happened because there  
29 was I think a breach by them at BC Hothouse and the  
30 Commission, and they weren't actually following the  
31 rules and they got some type of carveout  
32 eventually.  
33 And then after that, like I said, they asked me  
34 to write them support letters to be able to get  
35 their own commission. And then I believe that  
36 happened by the end of 2002. And then after that,  
37 once they got their licence, they started to move  
38 away from our relationship. And in our view  
39 basically was once they got their own agency and  
40 then they were on the board eventually, it was, you  
41 know, lock the door behind them and don't let  
42 anybody else in.  
43 Q Since the Newells or Windset got their own licence,  
44 has MPL continued doing business with them?  
45 A Yeah. We still buy produce from them. I think, if  
46 I remember right, you know, basically over the  
47 last -- I don't know, we went three or four years

# TAB 3



Marcel Andre Solymosi

Cross-exam by Cnsl R. Basham

1 CNSL R. BASHAM: Second paragraph --

2 CNSL R. HIRA: -- from Dentons, yeah.

3 CNSL R. BASHAM:

4 Q Second paragraph is -- Morgan Camley refers to --

5

6 We would also like to advise the Commission  
7 of certain concerning facts that have  
8 recently come to MPL BC's attention. MPL BC  
9 has been advised that there was a movement  
10 to discredit its application by certain  
11 entities, that they have a direct role in  
12 deciding its agency application.  
13

14 First of all, did you hear anything about that in  
15 the industry?

16 A Where is this?

17 Q Did you hear anything about certain entities  
18 opposing MPL's agency application --

19 CNSL R. HIRA: He's trying to read --

20 CNSL R. BASHAM:

21 Q -- on September 11th, 2020?

22 CNSL R. HIRA: He's trying to read the second  
23 paragraph.

24 CNSL R. BASHAM: All right, read it.

25 A This was September --

26 Q 8th -- 11, 2020. Were you aware of that?

27 A I was not aware, no.

28 Q Did you look into it?

29 A No.

30 Q Why not?

31 A Why not? I -- I think we replied to this letter  
32 to ask for some further information on it.

33 Q No, my question is why didn't you look into what  
34 was being alleged?

35 CNSL R. HIRA: Well, in fairness, you have a letter  
36 from him dealing with that issue.

37 CNSL R. BASHAM: No. Please, Mr. Hira, I'm asking him  
38 whether he made an investigation and he said no,  
39 and I'm asking him why not.

40 A Well, we had -- we had a letter -- I issued a  
41 letter in reply, and that was the position.

42 Q No, I asked you whether you made any  
43 investigation into that allegation, and you said  
44 no. And I asked you --

45 A But --

46 Q -- why not?

47 A Well, it wasn't substantiated here what -- what

- 1 the -- I guess this in -- information had been  
2 communicated.
- 3 Q Well, as the general manager, did it not concern  
4 you whether there was a movement to discredit an  
5 applicant?
- 6 A I guess -- I guess not.
- 7 Q Why not? We're talking about trust, confidence,  
8 fair play. Why wouldn't it have made you  
9 concerned?
- 10 A 'Cause I -- like I -- I guess I didn't see it as  
11 a -- as a matter of -- I guess I didn't see it as  
12 a matter of -- targeted to MPL or -- like I guess  
13 that's what the answer would be.
- 14 Q No, I don't want the answer "would be." What  
15 were you thinking? I don't want a would be.  
16 What was your actual thinking at the time?  
17 You're the general manager. You've been told by  
18 an applicant that there was a movement to  
19 discredit its application by certain entities  
20 that may have a direct role in deciding the  
21 agency application. Did it not concern you who  
22 that might be and whether there's any merit to  
23 it?
- 24 A I would get --
- 25 Q Sorry?
- 26 A At the time, I did not.
- 27 Q Okay. This is in the midst of a FIRB review that  
28 was investigating exactly into matters of bias,  
29 governance, conflict of interest. Here's a new  
30 applicant and you're saying that that didn't  
31 concern you?
- 32 A I guess the application -- if there's an  
33 application here, it would be -- we would have a  
34 process in place to manage the presumption of  
35 bias at the Commission level, and that's how it  
36 would -- it would be dealt with.
- 37 Q No, sir, I don't want you to presume. I don't  
38 want you to assume. I want you to tell me what  
39 your state of mind was and what you actually did.  
40 I think you agree with me that you didn't do  
41 anything about it.
- 42 CNSL R. HIRA: Well, just a moment. This ground has  
43 been tilled well by Commission counsel, and the  
44 questions here are frankly unfair, because you  
45 know that a week later he wrote to your client,  
46 saying please give me the particulars and there  
47 was no response. [Indiscernible] --

Marcel Andre Solymosi  
Cross-exam by Cnsl R. Basham

1 CNSL R. BASHAM: [Indiscernible].  
2 CNSL R. HIRA: No -- just let me finish. 4456, in  
3 fairness you should put that to my client, the  
4 last paragraph.  
5 CNSL R. BASHAM:  
6 Q Before I do that, I know you asked my client, but  
7 did you not investigate independently anything  
8 [indiscernible]?  
9 A I did not.  
10 Q Okay. So what about this allegation of  
11 misinformation that has been communicated to B.C.  
12 growers about MPL BC and it's application by  
13 these entities? Did you check into what that  
14 misinformation was?  
15 A Well, I was requesting further information on  
16 that from MPL.  
17 Q Well, let me just get to page 4470. Now, first  
18 of all, you attended a meeting on October 19,  
19 2020 for the growers -- with the growers?  
20 A Correct.  
21 Q And if you look at 4470 --  
22 CNSL R. HIRA: Well --  
23 CNSL R. BASHAM:  
24 Q -- page 4470 --  
25 CNSL R. BASHAM: Shall we start with 4466 so he knows  
26 what he's looking at?  
27 CNSL R. BASHAM: If you want to. 4466, that's the  
28 start of the document, I presume, Mr. Hira?  
29 CNSL R. HIRA: Yes.  
30 CNSL R. BASHAM: Okay.  
31 Q Now, this is supposedly notes of -- or some kind  
32 of report on the meeting that you attended in  
33 October of 2020, October 19 --  
34 A We -- I organized that. It happened, facilitated  
35 by Larry [indiscernible], and this was in a  
36 meeting of the advisory groups to talk about  
37 agency governance, and that was the topic of the  
38 meeting. And --  
39 Q There's also a tape, is there?  
40 CNSL R. HIRA: Can he finish his answer, please?  
41 A And there was -- at that meeting, there was a lot  
42 of, I guess, frustrations expressed at that  
43 meeting by producers. I'm not in contact -- you  
44 know, I'm -- maybe it could be a miss --  
45 misinterpretation here, but I'm not in contact  
46 with growers on a daily basis and I don't talk to  
47 them on a daily basis or I don't communicate with